

# Committee on Resources

## Subcommittee on Water & Power

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### Testimony

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Testimony  
before  
Subcommittee on Water and Power  
U.S. House of Representatives Committee on Resources  
regarding  
The "Sonny Bono Memorial Salton Sea Restoration Act"  
by  
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Thank you for this opportunity to present written testimony for the March 12, 1998 hearing on H.R. 3267 titled "Sonny Bono Memorial Salton Sea Restoration Act". I am charged with protecting Utah's Upper Basin water allocation from the Colorado River. I would like to convey to you a concern Utah has with the legislation as circulated in draft form.

#### California Use of Colorado River Water

With the advent of the full use of the Lower Basin's allotment of 7.5 million acre-feet of water per year under the Colorado River Compact of 1922, pressures to improve irrigation efficiencies increased. In fact, the state of California passed legislation imposing fines on the wasteful use of water. This resulted in a lawsuit in the 1980's where the Imperial Irrigation District was accused of wasteful use of water and ultimately directed by the state of California to improve its irrigation efficiency. However, from our point of view the side effects of improving agricultural water use efficiency has been or will be a decrease in the volume of water flowing into the Salton Sea. The result could be a decline in the level of the Salton Sea as evaporation may exceed inflow. Also as a terminal lake with no outlet besides evaporation this will result in an increase in salinity concentration in the Salton Sea. The increasing salinity level is threatening the existing fishery, wildlife habitat and other associated uses of the sea.

#### Problem with the Proposed Legislation

The proposed legislation calls for the stabilizing of both salinity and water elevation levels. Unless an outlet is provided to flush the salt from the sea, or a desalination plant is built to remove salts, the only other way we see to accomplish this is by providing relatively large quantities of fresh water to the Sea. The problem is, the draft legislation does not specify the source of water that might be used to accomplish this purpose. The Colorado River appears to be the only significant source of water available. But, the Lower Colorado River Basin states, particularly California, are currently using in excess of their full allocation from the river. If the legislation is not carefully crafted it could result in Upper Basin water being used to freshen the

sea. This would not only be unfair but it would disturb the delicate balance that currently exists between the Upper and Lower Colorado River Basin states.

Utah has no problem with stabilizing the Salton Sea, whether in terms of volume or salinity. We believe, however, the water used for this purpose, if it comes from the Colorado River, must come from the state of California's compact allocation. We think this is consistent with the current interpretations of the "Law of the River". Indeed, Utah would emphasize that if Colorado River water is needed for Salton Sea augmentation, the water should come only from California's compact allocation.

#### Suggested Amendments

The state of Utah supports the suggested amendments recommended by the Upper Colorado River Commission. With those amendments, Utah and the other Colorado River Basin states will not be put at risk by this legislation. We believe any other result would be inequitable, violate the "Law of the River" and place at odds with each other the Colorado River Basin states.

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